

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Securities and Exchange Commission,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.: 4:10-cv-0701-TLW-TER
)	
)	
M. Mark McAdams and)	
R. Dane Freeman,)	
)	
Defendants.)	
_____)	

ORDER

Plaintiff, Securities and Exchange Commission (“plaintiff”), proceeding pro se, brought this action alleging that Defendants, M. Mark McAdams and Dane Freeman (collectively “defendants”) violated Section 17(a) of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. § 77q(a), and Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78j(b), by engaging in the fraudulent offer and sale of securities.

This matter now comes before the Court for review of the Report and Recommendation (“the Report”) issued on January 4, 2013 by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned. (Doc. #125). In the Report, the Magistrate Judge recommends that Plaintiff’s Motion to Strike Defendant R. Dane Freeman’s Answer and for Entry of Default, filed on July 6, 2012 (Doc. #117), be granted.¹ The defendant did not file objections to the Report.²

¹ As noted in the Report, the Magistrate Judge’s recommendation to grant the request for Entry of Default against defendant R. Dane Freeman is limited to entering default against him pursuant to Fed. R. Civ. P. 55(a).

² Docket entry number 130, entered on January 14, 2013, indicates that mail sent by the Court to defendant R. Dane Freeman was returned as undeliverable. (Doc. #130). However, the Court has received no communication or change of address from defendant R. Dane Freeman.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report. (Doc. #125). For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #125). Therefore, Plaintiff's Motion to Strike Defendant R. Dane Freeman's Answer and for Entry of Default against Defendant R. Dane Freeman is hereby **GRANTED**. (Doc. #117). Defendant R. Dane Freeman's answer is hereby stricken and the Clerk is hereby directed to enter default as to defendant Freeman, pursuant to Fed. R. Civ. P. 55(a).

IT IS SO ORDERED

s/ Terry L. Wooten
TERRY L. WOOTEN
United States District Judge

January 15, 2013
Florence, South Carolina